



IPR

P/4976-36

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Marie-Clarie GROSJEAN COURNOYER et al.

Date: January 22, 2010

Serial No.: 10/587,801

Group Art Unit: 1616

Filed: July 31, 2006

Examiner: Pak, John D.

For: **FUNGICIDAL COMPOSITION COMPRISING A PYRIDYLETHYL BENZAMIDE DERIVATIVE AND A COMPOUND CAPABLE OF INHIBITING THE ERGOSTEROL BIOSYNTHESIS**

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This response is in reply to the Office Action of December 31, 2009, for the above-identified application.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period has elapsed and no separate petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding office action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to Deposit Account No. 15-0700.

Remarks/Arguments begin on page 2 of this paper.